



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3003679
Applicant Name: Cathy Tuttle, for Seattle Department Parks and Recreation
Address of Proposal: 2601 West Smith Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish a new park (Seattle Parks and Recreation) at the former Magnolia Elementary Playfield. Project includes 9,114 sq. ft. of grading. Determination of Non-Significance has been prepared by Seattle Department of Parks and Recreation.

The following approvals are required:

SEPA – For Conditioning only (SMC Chapter 25.05)

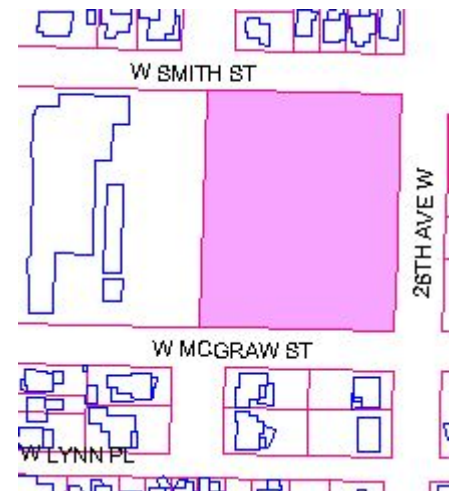
SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS
 ☐ DNS with conditions
 ☒ DNS involving non-exempt grading demolition or
 involving another agency with jurisdiction.*

*DNS issued by the Seattle Department of Parks and Recreation on September 22, 2005.

BACKGROUND DATA

Site and Vicinity Description

The 106,560 square foot proposal site is located east of Magnolia Elementary School bordered by West Smith Street to the north, West McGraw Street to the south and 26th Avenue West to the east. The location of the proposed playfield on top of the Magnolia Hills has sweeping views of Seattle Downtown, Elliott Bay and Mount Rainier. The site is zoned Single Family 5000 (SF 5000) as are the adjacent properties to the east, west, north and south. The topography of the site is characterized by a flat surface main playfield area with steep



slopes on the west adjacent to the existing Magnolia Elementary School and to the east abutting 26th Avenue West. The western steep slope areas are covered with some trees and underbrush. The entire area east of the site along 26th Avenue W consists of high bank street front, raised approximately 30 feet from the level of 26th Avenue W below and covered with blackberry bushes along the entire slope. Access to the site will be from west is available through West Smith Street to the north and West McGraw Street to the south. Additional access from the east will be from 26th Avenue W through West McGraw Street. Both West Smith Street and 26th Avenue W at the northeast corner of the site has no vehicular access due to the existing steep slope. Instead an existing flight of stairs provides pedestrian access to the proposed playfield. All abutting streets at the project location are developed with concrete curbs, gutters and sidewalks on both sides of the streets. Development in the vicinity is predominantly single family houses.

Project Description:

The Seattle Department of Parks and Recreation has proposed grading and reconstruction of the existing asphalt playfield located on top of the Magnolia Hills into a new playfield (Magnolia Elementary School Playfield). The project includes the removal of the existing asphalt from the site. The site would be graded with a cut of approximately 4,206 cubic yards of materials with maximum height of 13.12 feet and will be filled with approximately 4,908 cubic yards of materials with a maximum height of 9.88 feet to the equally sloped northwest corner of the site. The project will include total regarding of 9,114 square feet of the site.

The site is within an identified designated Environmentally Critical 40% steep slope area to west and to the east. However, under Project #2409337 based on geotechnical information provided by Seattle Public Utilities (SPU) Materials Laboratory, a limited exemption from ECA Steep Slope Development Standards was approved by DPD for this site on the basis that the steep slopes areas along the east property line and at the northwest and southwest corners of the site appeared to have been created by previous grading and construction activities.

According to information provided on the site plan, the proposed design includes concrete paved pathways to provide perimeter walkways around the park. These walkways provide easy and convenient circulation in the park without walking over the lawn. In addition, a 35,670 square foot lawn at the center of the playfield would be constructed to be used by the community as well as for youth sports. Other lawns are proposed along the east corners of the playfield as well as on the northern portion of the site. Some amenities to be provided on the playfield include view points and shelter picnic cluster areas, 2,250 sq. ft. swing set area, 3,700 sq. ft children play areas, basketball courts, drought tolerant plantings and furnishings including benches, picnic tables, drinking fountain and security lighting.

Public Comment:

The comment period began on December 8, 2005 and ended on December 21, 2005. No comment letter was received.

ANALYSIS – SEPA

Disclosure of the potential impacts from this project was made in the Parks Department Determination of Non-significance (DNS). This information in the environmental documents, supplemental information provided by the applicant (plans, further project descriptions), and the experience of DPD with review of similar projects form the basis for this analysis and conditioning decision wherein substantive SEPA conditioning will be considered and imposed as warranted.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” subject to some limitations. Under such mitigation or circumstances (SMC 25.05.665 D) mitigation can be considered. Short-term and long-term adverse impacts are anticipated from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: (1) temporary soil erosion due to site work; (2) decreased air quality due to increased dust and suspended particulates during site work and transport of materials to and from the site; (3) increased noise and vibration from construction operations and equipment and (4) increased traffic and parking demand from construction personnel. Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically, these are: Critical Areas Ordinance (soil stability and water quality) Stormwater, Grading and Drainage Control Code (grading, site excavation and control of soil erosion through use of best management practices); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); and the Noise Ordinance (construction noise). Compliance with these applicable codes and ordinances will reduce or eliminate short-term impacts to the environment and, with the exception of construction related noise impacts, they will be sufficient without conditioning pursuant to SEPA policies.

Noise

Some of the construction activities including grading and use of concrete delivery and pumping trucks will create high levels of noise. Later activities, consisting almost entirely of landscaping activities are expected to be fairly quiet. Residential uses exist immediately adjacent to the proposal site to the north across West Smith Street and to the east and south across West McGraw Street. It has been the experience of DPD that additional limits of the hours of construction operation, in addition to those provided in the Seattle Noise Ordinance, are sometimes necessary to limit noise impacts to nearby residences to an acceptable level. The Seattle Noise Ordinance would allow these very noisy, construction-related activities to take place from 7:00 a.m. to 9:00 p.m. The use of grading, concrete delivery and concrete pumping

equipment and delivery vehicles shall be limited to the hours of 7:00 a.m. to 6:00 p.m. on non-holiday weekdays. This condition shall be required pursuant to the SEPA authority to mitigate noise impacts during construction (SMC 25.05.675). Other construction-related activities should be adequately limited by the Noise ordinance.

Erosion Control

According to the SEPA checklist, the Seattle Department of Parks and Recreation has indicated that the existing invasive shrubs, such as blackberries and grasses and invasive existing trees such as poplar and cottonwood on the steep slopes areas would be cleared and native and non-native grasses, shrubs and trees would be replanted as part of the project. There are steep slope areas on the northwest and southwest corner of the site. A limited exemption was granted and the ECA steep slope development standards (i.e. the threshold disturbance level of 30 percent steep slope critical areas) were waived by DPD for the development on the proposal site. The geotechnical report by SPU Materials Laboratory, November 2005, demonstrated that granting this exemption will not result in adverse impacts on the site and adjacent sites. In addition, erosion control measures will be in compliance with City of Seattle Grading and Drainage Code and Construction Stormwater Control Technical Requirement Manual. SEPA conditioning to control soil erosion during construction is not warranted.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) increased noise due to increased play activity; 2) increased demand on public services and utilities; and 3) increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope and are otherwise mitigated by project design. The other impacts not noted here as mitigated by codes or conditions (increased ambient noise); are not sufficiently adverse to warrant further mitigation by condition. However, impacts from noise of park uses were noted in the SEPA checklist as to warrant conditioning, so brief discussions of those impacts are warranted.

Noise

SEPA policies state:

It is the City's policy to minimize or prevent adverse noise impacts resulting from new development or uses. If a proposed project may create adverse impacts due to noise, the decision maker shall assess the impacts and the need for mitigation.

Mitigation of noise impact is subject to the Overview Policy. However, if mitigation is warranted SEPA provides that mitigation measures can be imposed that limit the time and duration of operation and requiring buffering, landscaping or other techniques to reduce noise impacts off-site. The Parks Department indicated that the park would be closed in the late evenings and early morning following the Park Department's standard closure between **11:30 p.m. and 4:00 a.m.** The project should be conditioned to require that this standard closure timetable be posted around the park as matter of public information.

Summary

In conclusion, several effects on the environment would result from the proposed development. Existing codes and policies successfully address these effects on the built and natural environment. Both short term and long term impacts will be sufficiently mitigated.

Conditions of Approval During Construction

1. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 A.M. and 6:00 P.M.

Hours on weekdays may be extended from 6:00 P.M. to 8:00 P.M. on a case by case basis. All evening work must be approved by DPD prior to each occurrence.

Prior to Final Inspection

2. Applicant should post signs informing the public the standard closure timetable for the park.

Signature: (signature on file)
Christopher Ndifon, Land Use Planner
Department of Planning and Development

Date: May 1, 2006